

PATENT

ATTORNEY DOCKET NO. 3378/80489

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Andrew H. Segal

Serial No.: 09/318,870

Filed: May 26, 1999

For: Cytokine Coated Cells and Methods of
Modulating and Immune Response to an
Antigen



Examiner:

Art Unit: 1636

Assistant Commissioner for Patents
Box - Missing Parts
Washington, D.C. 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Sirs:


In response to the Notice to File Missing Parts of Application under 37 CFR 1.27 mailed June 22, 1999 (a copy of which is enclosed), Applicant as a small entity submits herewith the following:

1. a Statement Claiming Small Entity Status;
2. an executed Declaration and Power of Attorney in compliance with 37 CFR 1.63; and
3. a check in the amount of \$1,547.00 to cover basic filing fee, additional claims, multiple dependent claims and a \$65.00 surcharge for late filing of statement claiming small entity status;

It is understood that this perfects the application and no additional papers or filing fees are required. If there are any other charges, or any credits, please apply them to Deposit Account No. 19-0733.

Respectfully submitted,

8-11-99
Date


Kathleen M. Williams, Esq.
Reg. No. 34,380
Banner & Witcoff, Ltd
28 State Street, 28th Floor
Boston, MA 02109
Phone: (617) 227-7111



Address: COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

Sector #

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO./TITLE
09/318,870	05/26/99	SEGAL	A 3378/80489

0242/0622

BANNER & WITCOFF LTD
28 STATE STREET
BOSTON, MA 02109

NOT ASSIGNED

1636

DATE MAILED:

06/22/99

NOTICE TO FILE MISSING PARTS OF APPLICATION Filing Date Granted

An Application Number and Filing Date have been assigned to this application. The items indicated below, however, are missing. Applicant is given TWO MONTHS FROM THE DATE OF THIS NOTICE within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a). If any of items 1 or 3 through 5 are indicated as missing, the SURCHARGE set forth in 37 CFR 1.16(e) of ☐ \$65.00 for a small entity in compliance with 37 CFR 1.27, or ☒ \$130.00 for a non-small entity, must also be timely submitted in reply to this NOTICE to avoid abandonment.

If all required items on this form are filed within the period set above, the total amount owed by applicant as a ☐ small entity (statement filed) ☒ non-small entity is \$ 3,094.

*- 2 Small entity
\$ 1,547.00 -*

- ☒ 1. The statutory basic filing fee is:
☐ missing.
☐ insufficient.

Applicant must submit \$ 760 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
08/13/1999 AIBRAHIM 00000125 09318870

- ☒ 2. The following additional claims fees are due:

\$ 1242 for 69 total claims over 20.
\$ 702 for 9 independent claims over 3.
\$ 260 for multiple dependent claim surcharge.

01 FC:201	380.00 OP
02 FC:202	351.00 OP
03 FC:203	621.00 OP
04 FC:204	130.00 OP
05 FC:205	65.00 OP

Applicant must either submit the additional claim fees or cancel additional claims for which fees are due.

- ☒ 3. The oath or declaration:
☒ is missing or unsigned.
☐ does not cover the newly submitted items.

An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date is required.

- ☐ 4. The signature(s) to the oath or declaration is/are by a person other than inventor or person qualified under 37 CFR 1.42, 1.43 or 1.47.

A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

- ☐ 5. The signature of the following joint inventor(s) is missing from the oath or declaration:

An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date, is required.

- ☐ 6. A \$50.00 processing fee is required since your check was returned without payment (37 CFR 1.21(m)).

- ☐ 7. Your filing receipt was mailed in error because your check was returned without payment.

- ☐ 8. The application was filed in a language other than English.

Applicant must file a verified English translation of the application, the \$130.00 set forth in 37 CFR 1.17(k), unless previously submitted, and a statement that the translation is accurate (37 CFR 1.52(d)).

- ☐ 9. OTHER:

Direct the reply and any questions about this notice to "Attention: Box Missing Parts."

A copy of this notice MUST be returned with the reply.

W New Fan
Customer Service Center
Initial Patent Examination Division (703) 308-1202

*Response to missing parts
date 22/11/1999*

#3

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Art Unit: 1636

Assistant Commissioner for Patents
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Washington, D.C. 20231

TRANSMITTAL LETTER & CERTIFICATE OF EXPRESS MAILING

Sirs:

Enclosed for filing in the above-identified patent, please find the following documents:

1. Response to Notice to File Missing Parts of Application;
2. Copy of Notice to File Missing Parts of Application;
3. Verified Statement Claiming Small Entity Status;
4. Declaration and Power of Attorney;
5. Check in the amount of \$1,547.00 for filing fee, additional claims and multiple dependant claims; and
6. Return Postcard.

The Assistant Commissioner for Patents is hereby authorized to charge any additional fees or credit any overpayment in the total fees to Deposit Account No. 19-0733.

Respectfully submitted,

8/11/99
Date

Kathleen M. Williams
Kathleen M. Williams, Esq.
Reg. No. 34,380
Banner & Witcoff, Ltd
28 State Street, 28th Floor
Boston, MA 02109
Phone: (617) 227-7111

CERTIFICATE OF EXPRESS MAILING

I hereby certify that the papers attached hereto are being deposited with the United States Postal Service using "Express Mail to Addressee" service, **Express Mail No. ELO58489698US** on this date, **August 11, 1999**, postage prepaid, under 37 C.F.R. §1.10 in an envelope addressed to Assistant Commissioner for Patents, Washington, D.C. 20231.

Andrea MacVarish

Name of Person Mailing Paper

Andrea MacVarish

Signature of Person Mailing Paper